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Agenda item 13
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-third year

Identical letters dated 24 October 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a statement, dated 24 October 2008, of the Parliament of Georgia on facts concerning violation of the ceasefire agreement by the Russian Federation (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-third session of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.

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Annex to the identical letters dated 24 October 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of Parliament of Georgia on facts concerning violation of the ceasefire agreement by the Russian Federation

The Parliament of Georgia expresses grave concern due to the continuous blatant violation by the Russian Federation of the six-point ceasefire agreement reached with the mediation of the European Union on 12 August 2008. The agreement unambiguously commits the Russian Federation to withdraw forces to the pre-6 August lines, which should result in vacating the occupied Akhalgori district, the Georgian villages around Tskhinvali, the village of Perevi in Sachkhere district and Upper Abkhazia. To the contrary, Russian armed forces concentration and provocation activities continue in the conflict region. Specifically, on 22 October, 2,000 soldiers were placed in the conflict region and their total number is more than 7,000 on the former territory of the South Ossetia Autonomous Region. In addition, 40 units of heavy military equipment have been imported to the Akhalgori district. Also, obvious aggressive military road constructions have started from Tskhinvali to Akhalgori. All of the above-mentioned activity increases the danger of aggression/aggravation. Ethnic cleansing committed in the occupied territories with the direct participation and assistance of the Russian Federation puts it in direct breach of fundamental principles of human rights and international documents. Recognition of the independence of Abkhazia and the former Autonomous Region of South Ossetia constitutes a serious breach of international law, an attempt to legalize results of ethnic cleansing and an annexation of Georgian territory. The Parliament of Georgia calls upon the international community and Parliaments of our friend countries to:

1. Demand from the Russian Federation that it fully comply with the agreement of 12 August 2008;

2. Demand from the Russian Federation that it refrain from further violations of Georgian airspace, provocative actions or rhetoric, including the setting up of military bases in Abkhazia and the former Autonomous Region of South Ossetia;

3. Demand from the Russian Federation that it grant international observers, in the first instance observers of the European Union and the Organization for Security and Cooperation in Europe (OSCE), permission to observe activities in the whole territory of Abkhazia and the South Ossetia Autonomous Region;

4. Demand from the Russian Federation that it reverse the results of the ethnic cleansing it committed and support secure and proper return of all internally displaced persons;

5. Demand from the Russian Federation that it comply with resolution No. 1633 of the Parliamentary Assembly of the Council of Europe, article 22.4, obliging the sides to "work towards the creation of a new peacekeeping format and to internationalize the peacekeeping force";

6. Demand from the Russian Federation, in line with article 9 of the above resolution, that it withdraw recognition of Abkhazia and the former Autonomous Region of South Ossetia;

7. Support the elaboration and launch of an international independent investigation mechanism on conflict escalation and grounds within a short space of time.

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Agenda items 79 and 99

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The rule of law at the national and international levels

Measures to eliminate international terrorism

Letter dated 23 October 2008 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government and with regard to the action taken by the Government of the United Kingdom to take out the name of the so-called "People's Mojahedin Organization of Iran" (PMOI), a notorious terrorist group, from Britain's list of proscribed groups, which came after a verdict issued by the British Court of Appeal on 7 May 2008 in case No. 2007/9516 and in the light of a decision made by the Proscribed Organisations Appeal Commission (POAC), I would like to bring the following to your attention:

1. The PMOI, as a terrorist cult and based on its strategy of armed struggle, has been adopting an eclectic and deviant ideology which has, over the years, resulted in widespread terrorist operations against Iranian civilians and officials as well as foreign nationals. These terrorist operations have resulted in the loss of lives of thousands of Iranian nationals, including political figures and parliamentarians, while thousands of others have been wounded or have suffered from material and moral damages. Even now, the remaining members of this terrorist cult continue to maintain their military capabilities as well as their terrorist nature, structure, aims and primary and founding strategies, in particular the strategy of armed struggle and use of force. For these reasons, they are still involved in different forms of terrorism, in one way or the other, including violent operations, money-laundering and inciting and encouraging terrorism around the globe. This is why this cult is the most despised group in the public opinion of the Iranian people.

2. Despite the very clear terrorist nature of the PMOI and its attempt to reconstruct its terrorist capabilities, the POAC, the Court of Appeal and the British Government as a whole have all ignored such irrefutable evidences, while the terrorist nature of this cult has been clearly recognized and reaffirmed by other States as well as regional organizations. There are also many documents indicating that this cult has been "otherwise concerned in terrorism" after 2003. In addition,

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several reports issued by non-governmental organizations, including those who are active in the field of human rights, testify to the despicable and terrorist nature of this cult. It is worth mentioning that these clear facts have all been reaffirmed, even very recently, by the high-ranking legislative and executive officials of the United Kingdom too.

3. Nevertheless, it seems that the POAC and the Court of Appeal, which have undoubtedly had access to the very clear documents indicating the continuation of terrorist activities of this cult, have chosen to ignore them and even have not paid attention to the mere fact that there have been no convincing evidences, whatsoever, to show that the said cult has objectively abandoned terrorism. Consequently, the United Kingdom officials issued a questionable verdict that is not in conformity with the general principles of law and justice.

4. From the international law point of view, the decision by the British judiciary, and the Government of the United Kingdom as a whole, is in contradiction with the clear and indisputable international obligations of the British Government to fight terrorism and is also in clear defiance of the relevant Security Council resolutions, including resolutions 1373 (2001) and 1624 (2005) as well as the United Kingdom's regional commitments. The said verdict and the consequent removal of the name of this terrorist cult from the list of proscribed terrorist organizations of the United Kingdom indicates that the British Government has indeed conferred legitimacy to their activities, a move which clearly contradicts the international efforts to combat terrorism. Evidently, and as the customary rules of international law governing the responsibility of States clearly demonstrate, resorting to such excuses as the independence of the judiciary or the separation of powers cannot be regarded as circumstances precluding the responsibility of the Government of the United Kingdom resulting from breaching its international and regional obligations in the fight against terrorism.

5. In the light of the above, the Islamic Republic of Iran, while strongly protesting this action by the British Government, considers the said Government responsible for the adverse consequences of the spread of the activities of this terrorist cult in the territory of the United Kingdom as well as at the regional level and beyond. Furthermore, the Islamic Republic of Iran reserves its right to take legal actions for the losses that may be inflicted on Iranian nationals and its security as a result of the failure by the British Government to abide by its international obligations and commitments.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda items 99 (Measures to eliminate international terrorism) and 79 (The rule of law at the national and international levels), and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative